

THURSDAY, APRIL 27, 2006 (117<sup>th</sup> Calendar Day – 24<sup>th</sup> Voting Day of the Year)

House Meets At...	Last Vote Predicted At...
9:00 a.m.: Former Members Day 10:45 a.m.: Legislative Business  Five "One Minutes" Per Side	5:00 – 6:00 p.m.

\* MEMBERS ARE ADVISED THAT CLOSE VOTES ARE EXPECTED TODAY ON THE LOBBYING REFORM RULE AND FINAL PASSAGE. PLEASE CALL THE WHIP’S OFFICE IF A MEMBER ANTICIPATES NOT BEING IN ATTENDANCE.

\*\* Members are urged to sign the **Herseeth-Stupak Discharge Petition (#7)** to force consideration of [H.R. 3936](#) to protect consumers from price-gouging of gasoline and other fuels during energy emergencies. [123 Members have signed on.](#)

FLOOR SCHEDULE AND BILL SUMMARY

[H.Res. 783](#) - Rule providing for consideration [H.R. 4975](#) – Lobbying “Accountability and Transparency” Act of 2006 (*Rules*). The Rules Committee has recommended a restrictive rule that makes in order only 9 amendments out of the 74 amendments submitted to the rules committee. The Republican rule denied consideration of the Democratic substitute, HR 4682, that permanently bans any travel financed by nongovernmental organizations that employ or retain lobbyists; bans all gifts and meals offered by registered lobbyists; shuts down the K Street project; and doubles the period in which former Members are prohibited from lobbying their former colleagues, from 1 year to 2 years.

The Republican Rule, through self-executing language, strikes a provision added in the Judiciary Committee as a Democratic amendment (Scott – VA) that calls for a GAO study of employment contracts of lobbyists. The rule also provides that following passage of [H.R.4975](#), the Clerk shall add a new section at the end of that bill to include the text of [H.R. 513](#) – the 527 “Reform Act, which was adopted by the House on April 5<sup>th</sup> over overwhelming Democratic opposition.

Democrats are urged to VOTE NO on the Republican Rule.

[H.R. 4975](#) – Lobbying “Accountability and Transparency” Act of 2006 (*Rep. Dreier – Judiciary*) (*Subject to a Rule*). This bill proposes modest changes to the current rules governing lobbying activities and fails to offer a comprehensive, permanent solution to the Republican “culture of corruption” -- typified by the Jack Abramoff scandal. [H.R. 4975](#) delays real action on private-funded travel and the acceptance of gifts until after the November election and does nothing to slow the revolving door between congressional service and lobbying by retaining the current 1-year period in which former Members and senior staff are prohibited from lobbying their former colleagues. Highlights of [H.R. 4975](#) include:

- **Travel.** The bill suspends all Member and staff privately-funded travel until December 15<sup>th</sup> (the bill instructs the Ethics Committee to recommend, not later than December 15, 2006, changes to House rules governing privately-funded travel and the acceptance of gifts). The bill bans lobbyists from flying on corporate jets with lawmakers but still only requires Members to pay first-class fare for the flights rather than the charter rate.
- **Lobbying Disclosure.** The bill requires quarterly filing of lobbying disclosure reports; requires the electronic filing of lobbying registrations and disclosure reports; and requires the disclosure by registered lobbyists of all past executive branch and congressional employment in the past seven years.
- **Earmarks.** The bill requires disclosure of certain earmarks by prohibiting consideration of a general appropriations bill unless the Appropriations Committee report includes: 1) a list of earmarks provided in the reported bill or in the committee report; and 2) identification of any Representative submitting a request for an earmark on the list;
- **Member Pension.** The bill mandates that Members generally lose credit towards their federal pensions for all service as a Member of Congress if they are convicted of bribery, acting as an agent of a foreign principal, or conspiracy to commit such offences or to defraud U.S., when such conduct related to their official duties as a Member.

The nine amendments made in order by the rule are debatable for 10 minutes each:

- **Gohmert Amendment.** To strike section 106, which provides increased penalties for failure to comply with lobbying disclosure, and insert an ascending civil penalty structure for each subsequent offense.
- **Castle/Gerlach Amendment.** To require that lobbyists be held liable for offering gifts that violate the gift ban. Under the amendment lobbyist who knowingly offers a gift to a U.S.



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Representative, Delegate, Resident Commissioner, or their employee that is in violation of the gift ban, would be subject to a civil fine of up to \$50,000.

- **Lungren/Miller, George (CA)/Hastings (WA)/ Berman/Cole Amendment.** To modify section 301 to place a moratorium on privately-funded official travel unless the Committee on Standards of Official Conduct issues a certification that the gift of travel complies with all House rules and standards of conduct. The Committee is not permitted to issue that certification until it reports its recommendations on changes to rule XXV to the Committee on Rules, which must occur not later than June 15, 2006. The Committee is permitted to issue the certification before June 15<sup>th</sup> if 2/3 of the committee vote to do so. The amendment also modifies section 302 to direct the Committee on Standards to report to the Committee on Rules on recommended changes to rule XXV with respect to gifts, and consider factors similar to those in the base bill.
- **Sodrel/McGovern/Davis (KY) Amendment.** To amend section 502 to add a voluntary ethics training program for Members within 100 days of being sworn in to Congress. The status of the Members completing and not completing the course within the time frame will be posted on the website for the House Committee on Standards of Official Conduct and in the Congressional Record.
- **Jackson-Lee Amendment.** To modify the extent to which pensions can be withheld from the spouse and family of a member convicted of a felony.
- **Gingrey Amendment.** To extend the prohibition on converting campaign dollars for personal use currently applicable to campaign committees to Leadership PACs. A Leadership PAC is defined in this amendment as a political committee which is directly or indirectly established, maintained, or controlled by a candidate for Federal office or an individual holding Federal office.
- **Wolf Amendment.** To prohibit former ambassadors and CIA station chiefs from acting as an agent of the foreign nation where they were stationed for five years after their service as ambassador or station chief is completed.
- **Castle Amendment.** To require that all registered lobbyists complete a mandatory 8-hours of ethics training each Congress. Ethics training would include the code of conduct and disclosure requirements applicable to Members, officers, and employees of the House, including rules relating to acceptance of gifts (including travel and meals), and financial disclosure requirements under the Ethics in Government Act of 1978. Any registered lobbyist failing to complete ethics training each Congress would be subject to penalties.
- **Flake Amendment.** To clarify the application of criminal bribery and illegal gratuities statutes with regard to earmarks. Specifically, the amendment prohibits a person from directly or indirectly, corruptly giving, offering, or promising anything of value to any public official with the intent to influence any official act relating to an earmark. It also prohibits a public official from corruptly demanding, seeking, receiving, accepting, or agreeing to receive or accept anything of value in return for influence in the performance of an official act relating to an earmark.

**Democrats are urged to VOTE NO on [H.R. 4975](#).**

#### Postponed Suspension Votes (2 bills):

- 1) [H.Con.Res. 357](#) - Supporting the goals and ideals of National Cystic Fibrosis Awareness Month (*Rep. Stearns - Energy and Commerce*)
- 2) [H.Con.Res. 349](#) - Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (*Rep. Hoyer - Transportation and Infrastructure*)

**Postponed Vote on the McDermott Motion to Instruct Conferees on [H.R. 4297](#) – Tax Reconciliation Act of 2005.** The motion instructs conferees to: adopt three Senate provisions affecting large integrated oil companies and would raise over \$5 billion in additional revenue over 10 years; and to drop the capital gains and the dividends provisions included in the House bill.

**Democrats are urged to VOTE YES.**

#### TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: on Friday, no votes are expected in the House.

#### Daily Quote...

"Two-thirds of Americans say the nation is "off on the wrong track," President Bush's approval rating has fallen to 36% and Congress fares even worse at 22% approval. . . . Approval of the job Congress is doing has plummeted to 22%, from 33% just last month. That's worse than the marks a Democratic-controlled Congress received at a similar point in 1994, the year Newt Gingrich led Republicans back to power on Capitol Hill."

- A story in *The Wall Street Journal* today